APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,125	11/05/2001	Rand Monteleone	2000P09139 US01	2875

7590   12/05/2005

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EXAMINER
VU, KIEU D

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 12/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/008,125	MONTELEONE ET AL.
	Examiner	Art Unit	
	Kieu D. Vu	2173	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 August 2005*.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) *8-11* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7 and 12-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

2.   Claims 1-7 and 17-20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Myers et al ("Myers 450", USP 5832450) and Myers ("Myers

903", US 2003/0083903).

       Regarding claim 1, Myers 450 teaches a network compatible user

interface system (24) supporting navigation through patient medical information,

comprising: a communication processor for acquiring a patient group identifier

(col. 4, lines 38-40) allocated to a grouping of patients and for acquiring medical

information associated with said patients (col. 4, lines 41-48), a display generator

for generating a composite display window incorporating a first window (26)

including said patient group identifier and a list of patients in said grouping (col.

4, lines 34-40); and a second window for displaying different medical information

(col. 4, lines 41-48) corresponding to different medical applications (see 7

counter types in col. 4, lines 49-53), said different medical information being

associated with patients in said grouping of patients; a display navigation

processor for maintaining said first window display while displaying different

medical information in said second window in response to user navigation

between said different applications (col. 4,lines 41-48). Myers 450 differs from

the claim in that Myers 450 does not teach group identifier and displaying group identifier. However, such feature is known in the art as taught by Myers 903. Myers 903 teaches a system for billing service used in healthcare environment [0033]. Myers 903 further teaches generating a menu prompting user entry and selection of at least one field to be searched (see Fig. 3 C), each field identifying a group of patients, said group of patients being associated with a respective displayed group identifier (for example, in Fig. 3C each location of encounter identifies a group of patients at that location and the group of patients of a particular location can be identified by the name of the location). Myers 903 further teaches searching database of acquired medical information to identify patients associated with the group identifier indicated by search criteria determined by user selection of said field and entry of a text string (searching for patients in "GEM Cardiac & Vascular" location, user can also enter text string in "Date of Encounter" to limit the search, see Fig. 3C). Myers 903 further teaches displaying different medical information for patients retrieved from the search (see Fig. 3D where the result of the search in Fig. 3C is displayed). Since the teaching of Myers 450 and the teaching of Myers 903 are in the same field of searching, navigation, and displaying medical information in healthcare environment, it would have been obvious to one of ordinary skill in the art, having the teaching of Myers 450 and Myers 903 before him at the time the invention was made, to modify the searching technique taught by Myers 450 to include the teaching of Myers 903 so that system of Myers 450 can provide medical information for a group of patients associating with the same group identifier such as location or physician.

Regarding claim 2, Myers 903 further teaches that said patient group

identifier corresponds GEM Cardiac & Vascular care unit. Myers 903 does not

teach that care units including an intensive care unit and surgical unit. It would

have been obvious to one of ordinary skill in the art, having the teaching of Myers

450 and Myers 903 before him at the time the invention was made, to include

intensive care unit and surgical unit in the "Location of encounter" (in Fig. 3C)

with the motivation being enable the system of Myers 903 to provide service for

different care units.

Regarding claim 3, Myers 450 further teaches that said different medical

information corresponding to different medical applications comprising laboratory

test results (see lab test result in col. 4, lines 61-63) and administrative

information (see provider care info including administration info col. 4, lines 49-

53).

Regarding claim 4, Myers 450 further teaches that said first window further

displays patient name (see col. 4, lines 38).

Regarding claim 5, Myers 450 further teaches that said patient group

identifier in said first window is user-selectable (see col. 4, lines 42).

Regarding claim 6, Myers 450 further teaches that said display navigation

processor is responsive to user selection of a deactivation element in said first

window display for no longer maintaining said list of patients in said first window

during user navigation between said different applications (windows 26 displays

different info according to the mode of interface 24. When user selects button 32,

windows 26 displays patient list. When user selects either a record or a help

button 31 (deactivation element), window 26 displays the record or help,

respectively).

Regarding claim 7, Myers 450 further teaches that said patient group

identifier is maintained in memory after user logout of the system (patient ID is

maintained in servers 10-16 and is thus unaffected when user is logged out).

Regarding claim 12, Myers 450 teaches a network compatible user

interface system supporting navigation through medical information comprising: a

communication processor (18) for acquiring patient medical information for

storage in a database (server 10-16); a menu generator for generating a menu

prompting user selection of at least one field to be searched (user's selection on

a patient on "Available Record" 26 in Fig. 2a), a search engine for searching said

database of acquired medical information to identify medical records associated

with search criteria (patient) determined by user selection of said field (Fig. 2a,

Fig. 2b) (col 4, lines 34-40) (col 5, lines 3-5), and a display navigation processor

for automatically displaying different medical information for said identified

records in response to user navigation between different applications (col 5, lines

3-9). Myers 450 is different from the claim in that Myers 450 does not teach user

entry in the field to be searched, each field identifying a group of patients, said

group of patients being associated with a respective group identifier and search

engine for searching of acquired medical information to identify patients

associated with the group identifier and displaying patients identified to be

associated with the group identified by the selected field. However, such feature

is known in the art as taught by Myers 903. Myers 903 teaches a system for

billing service used in healthcare environment [0033]. Myers 903 further teaches

generating a menu prompting user entry and selection of at least one field to be

searched (see Fig. 3 C), each field identifying a group of patients, said group of

patients being associated with a respective group identifiers (for example, in Fig.

3C each location of encounter identifies a group of patients at that location and

the group of patients of a particular location can be identified by the name of the

location). Myers 903 further teaches searching database of acquired medical

information to identify patients associated with the group identifier indicated by

search criteria determined by user selection of said field and entry of a text string

(searching for patients in "GEM Cardiac & Vascular" location, user can also enter

text string in "Date of Encounter" to limit the search, see Fig. 3C). Myers 903

further teaches displaying different medical information for patients retrieved from

the search (see Fig. 3D where the result of the search in Fig. 3C is displayed).

Since the teaching of Myers 450 and the teaching of Myers 903 are in the same

field of searching, navigation, and displaying medical information in healthcare

environment, it would have been obvious to one of ordinary skill in the art, having

the teaching of Myers 450 and Myers 903 before him at the time the invention

was made, to modify the searching technique taught by Myers 450 to include the

teaching of Myers 903 so that system of Myers 450 can provide medical

information for a group of patients associating with the same group identifier such

as location or physician.

Regarding claim 13, Myers 450 further teaches the system of claim 12

wherein said display navigation automatically displays different medical

information for said identified patients for said different applications without user

re-entry of information determining said identified patients (col. 4, lines 41-48).

Regarding claim 14, Myers 450 further teaches the system of claim 12, wherein said different medical information corresponding to different medical applications comprising laboratory test results (see lab test result in col. 4, lines 61-63) and administrative information (see provider care info including administration info col. 4, lines 49-53).

Regarding claim 15, Myers 450 further teaches the system of claim 12, wherein said first window further displays patient name (see col. 4, lines 38).

Regarding claim 16, Myers 903 further teaches the system of claim 12, wherein said prompting menu further includes a selectable customization field (Find Existing Encounter(s) 306) responsive to a user command for generating a query based on said user-entered text string for subsequent execution without user re-entry of said text string ([0118]).

Regarding claim 17, Myers 450 further teaches an internet compatible method for displaying patient medical information, comprising: acquiring medical information associated with patients; collating said medical information including allocating a patient group identifier to a grouping of patients; composite display window incorporating a first window (26), including said patient group identifier and a list of patients in said grouping, and a second window (28) for displaying different medical information corresponding to different medical applications, said different medical information being associated with patients in said grouping of patients (col. 4, lines 41-48); and maintaining said first window display while displaying different medical information in said second window in response to user navigation between said different applications (col. 4, lines 44-47). Myers

450 differs from the claim in that Myers 450 does not teach group identifier and

displaying group identifier. However, such feature is known in the art as taught by

Myers 903. Myers 903 teaches a system for billing service used in healthcare

environment [0033]. Myers 903 further teaches generating a menu prompting

user entry and selection of at least one field to be searched (see Fig. 3 C), each

field identifying a group of patients, said group of patients being associated with a

respective displayed group identifier (for example, in Fig. 3C each location of

encounter identifies a group of patients at that location and the group of patients

of a particular location can be identified by the name of the location). Myers 903

further teaches searching database of acquired medical information to identify

patients associated with the group identifier indicated by search criteria

determined by user selection of said field and entry of a text string (searching for

patients in "GEM Cardiac & Vascular" location, user can also enter text string in

"Date of Encounter" to limit the search, see Fig. 3C). Myers 903 further teaches

displaying different medical information for patients retrieved from the search

(see Fig. 3D where the result of the search in Fig. 3C is displayed). Since the

teaching of Myers 450 and the teaching of Myers 903 are in the same field of

searching, navigation, and displaying medical information in healthcare

environment, it would have been obvious to one of ordinary skill in the art, having

the teaching of Myers 450 and Myers 903 before him at the time the invention

was made, to modify the searching technique taught by Myers 450 to include the

teaching of Myers 903 so that system of Myers 450 can provide medical

information for a group of patients associating with the same group identifier such as location or physician.

Regarding claim 18, Myers 450 further teaches that the step of maintaining further comprises setting a variable corresponding to a user command for retaining said list of patients in said first window (see button 62 for retaining the list of patients).

Regarding claim 19, Myers 450 further teaches that said first window further displays patient name (see col. 4, lines 38).

Regarding claim 20, Myers 903 further teaches that the step of generating a composite display window further comprises generating a search menu for entering a text string in response to a user command (see Fig. 3C).

3.   Applicant's arguments filed on 08/10/05 have been considered but are moot in view of the new ground(s) of rejection.

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4057.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at 571-272-4048.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:
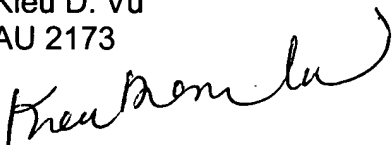
571-273-8300

and / or:

571-273-4057 (use this FAX #, only after approval by Examiner, for

"INFORMAL" or "DRAFT" communication. Examiners may request that a formal

paper / amendment be faxed directly to them on occasions).

Information regarding the status of an application may be obtained from

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for published applications may be obtained from either Private PAIR or Public

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direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

Kieu D. Vu
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